

REMARKS

Favorable reconsideration and allowance of the subject application are respectfully requested. Claims 1-22 are pending in the present application, with claims 1, 19, and 22 being independent.

Allowable Subject Matter

Applicants note with appreciation the Examiner's indication on page 6 of the Office Action that claims 5-11 and 16 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. For at least the reasons detailed below, all pending claims should be considered allowable.

Claim Objections

The Examiner objected to claims 17 and 18 because they are duplicate claims that depend on the same independent claim. Applicants have amended claim 18 in an effort to correct this minor informality. Accordingly, withdrawal of the objection is respectfully requested.

Claim Rejections Under 35 U.S.C. §103

The Examiner rejected claims 1-4, 9-10, 13, and 17 under 35 U.S.C. §103(a) as being unpatentable over *Tamir et al.* (US 6,438,508) in view of *Tritchew et al.* (US 5,897,223). This rejection is respectfully traversed insofar as it pertains to the presently pending claims.

As previously submitted, *Tamir et al.* is directed to a virtual studio that includes a position detecting device that has an emitting device, which is then utilized to provide the position of a TV camera. *Tritchew et al.* is directed to a stabilized platform system for a camera, which includes a fiber-optic gyro in order to maintain neutral static balance of the camera about a central pivot.

The Examiner acknowledges on page 3 of the outstanding Office Action that *Tamir et al.* does not teach a gyroscope, and cites *Tritchew et al.* for support thereof. Applicants respectfully submit, however, that the Examiner failed to establish a *prima facie* case of obviousness.

To establish a *prima facie* case of obviousness, three basic criteria must be met: (1) there must be some suggestion of motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art to modify the reference or to combine reference teachings; (2) there must be a reasonable expectation of success; and (3) the prior art

reference must teach or suggest all the claim limitations, see *In re Vaeck*, 947 F.2d 48, 20 USPQ2d 1438 (Fed.Cir.1991).

Applicants respectfully submit that there is no motivation to combine Tamir et al. with Tritchew et al., because neither of the references contain any teaching or motivation for one skilled in the art to process "the measured values from the gyroscope and the detected values for the determination of the position and/or the orientation of the emitter devices," as recited in, for example, independent claim 1. In other words, neither of the references teach or suggest that measured values and detected values are utilized to determine a position or orientation of the emitter devices, which are mounted to the camera.

Referring to, for example, paragraphs 47 and 48 of the substitute specification, it is taught that "[t]his gyroscope is used in addition to the detecting cameras so that a redundant determination of the orientation of the camera is effected." Further, one skilled in the art would appreciate that "[t]his allows for a more precise determination of the actual orientation of the camera."

Applicants note that Tamir et al. teaches the use of an emitter device positioned on a camera in order to detect the position of the camera and that Tritchew et al. teaches the use of a fiber optic gyroscope to maintain a position of a camera on a stabilized platform because of vibrations. However, neither of

these references even remotely suggest the use of values from two different detection devices, e.g., emitter devices and gyroscope, to determine a position and/or orientation of the camera. Thus, a *prima facie* case of obviousness cannot be substantiated.

Dependent claims 2-18 and 20-21 should be considered allowable at least for depending from an allowable base claim.

Accordingly, withdrawal of the rejection is respectfully requested.

Conclusion

In view of the above amendments and remarks, this application appears to be in condition for allowance and the Examiner is, therefore, requested to reexamine the application and pass the claims to issue.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Martin Geissler (Reg. 51,011) at telephone number (703) 205-8000, which is located in the Washington, DC area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees

required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, ROLASCH & BIRCH, LLP

By 

Michael K. Mutter, #29,680

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

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